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10 Attorneys for Defendants:
11 BANK OF AMERICA CORPORATION;
12 BANK OF AMERICA, N.A., for itself and
as successor by merger to Countrywide
13 Bank, FSB; COUNTRYWIDE
FINANCIAL CORPORATION; and
COUNTRYWIDE HOME LOANS, INC.

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15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**
17 **WESTERN DIVISION**

18 CITY OF LOS ANGELES, a municipal
corporation,

19 Plaintiff,

20 v.

21 BANK OF AMERICA
CORPORATION; BANK OF
22 AMERICA, N.A.; COUNTRYWIDE
FINANCIAL CORPORATION;
23 COUNTRYWIDE HOME LOANS; and
24 COUNTRYWIDE BANK, FSB,

Defendants.

Case No. 2:13-cv-09046-PA-AGR

**LOCAL RULE 83-1.3 NOTICE OF
RELATED CASE**

Courtroom: 15

Judge: Hon. Percy Anderson

Complaint filed: December 6, 2013

1 TO THE UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT
2 OF CALIFORNIA, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

3 PLEASE TAKE NOTICE that, under Local Rule 83-1.3, defendants Bank of
4 America Corporation; Bank of America, N.A., for itself and as successor by merger
5 to Countrywide Bank, FSB; Countrywide Financial Corporation; Countrywide
6 Home Loans, Inc. (collectively, “Defendants”) hereby inform the Court that this
7 case (the “*City of Los Angeles Action*”) is related to the following case in the Central
8 District of California before the Honorable Philip S. Gutierrez: *United States of*
9 *America v. Countrywide Financial Corporation, et al.*, No. 11-cv-10540 (the
10 “*Countrywide Action*”).

11 The *City of Los Angeles Action* qualifies as related to the *Countrywide Action*
12 under the provisions of the Local Rules in that the two actions appear (i) “[t]o arise
13 from the same or a closely related transaction, happening or event,” (ii) “[t]o call for
14 determination of the same or substantially related or similar questions of law and
15 fact,” or (iii) “[f]or other reasons would entail substantial duplication of labor if
16 heard by different judges.” L.R. 83-1.3. Specifically:

- 17 • The *City of Los Angeles Action* is, in substantial part, a copy of the
18 *Countrywide Action*. Entire paragraphs from the complaint in the
19 *Countrywide Action* are repeated, verbatim, in the complaint in the *City*
20 *of Los Angeles* action. Compare, e.g., *Countrywide Action* Compl.
21 ¶¶ 12-37, 49-61, 80 with *City of Los Angeles* Compl. ¶¶ 25-33, 36-40,
22 50-70, 74-75.
- 23 • Plaintiffs in both Actions bring claims against Countrywide Financial
24 Corporation; Countrywide Home Loans, Inc.; Countrywide Bank, FSB
25 (collectively, “Countrywide”) for violations of the Fair Housing Act
26 (“FHA”) in connection with allegedly discriminatory lending practices
27 that occurred between 2004 and 2008.

- Plaintiffs in both Actions allege that Countrywide's lending practices constitute violations of the FHA because Countrywide allegedly discriminated on the basis of race and/or national origin in Los Angeles by (i) charging borrowers higher fees and costs based on their race or national origin; and (ii) placing borrowers in certain ethnic groups into subprime loans even though borrowers in other ethnic groups who had similar credit qualifications were placed into prime loans.
- Plaintiffs in both actions seek a declaration that Countrywide's lending practices constituted violations of the Fair Housing Act, an injunction enjoining Countrywide and its agents and employees from continuing the alleged discriminatory conduct, and compensatory damages.

The parties in the *Countrywide Action* entered into a consent order on December 28, 2011 where the parties stipulated that Defendants' compliance with the terms of the order "fully and finally resolve[d] all claims" in connection with that litigation. Recently, however, certain third party individual borrowers filed a motion to intervene and to reopen the *Countrywide Action*. Countrywide and the Government filed oppositions to that motion on February 3, 2014, and the motion is set for a hearing before Judge Gutierrez on February 24, 2014.

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1 For the foregoing reasons, Defendants request that the *City of Los Angeles*
2 *Action* be deemed related to the *Countrywide Action* and that both cases be assigned
3 to the same judge of this Court.

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5 Respectfully submitted,

6 Dated: February 13, 2014

7 By: /s/ Steven A. Ellis
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PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is: 601 South Figueroa Street, 41st Floor, Los Angeles, California 90017.

On **February 13, 2014**, I served the following documents by placing a true copy thereof in a sealed envelope(s) on the persons below as follows:

LOCAL RULE 83-1.3 NOTICE OF RELATED CASE

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. I further certify that some of the participants in the case are not registered CM/ECF users. I have served the foregoing document(s) to the following non-CM/ECF participants:

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☐ By (MAIL). I placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this firm's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid. I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at Los Angeles, California.

☒ By (OVERNIGHT DELIVERY) I deposited in a box or other facility regularly maintained by FedEx, an express service carrier, or delivered to a courier or driver authorized by said express service carrier to receive documents, a true copy of the foregoing document in sealed envelopes or packages designated by the express service carrier, addressed as stated above, with fees for overnight delivery paid or provided for.

I declare under penalty of perjury that I am employed in the office of a member of the bar of this Court at whose direction this service was made and that the foregoing is true and correct.

Executed on **February 13, 2014**, at Los Angeles, California.

Laura Weaver
(Type or print name)

(Signature)